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# KENNEDALE CITY COUNCIL AGENDA

**REGULAR MEETING | December 18, 2017**
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**
**WORK SESSION at 5:30 PM | REGULAR SESSION at 7:00 PM**

## I. CALL TO ORDER

***NOTE: Pursuant to §551.071, Texas Government Code, City Council reserves the right to adjourn into Executive Session at any time during the Work Session or the Regular Session to discuss posted Executive Session items or to seek legal advice from the City Attorney on any item posted on the agenda.***

## II. WORK SESSION

A. Hold a discussion and provide staff direction regarding amending the City of Kennedale purchasing policy

B. Hold a discussion and provide staff direction regarding City membership in the Texas Local Government Center

C. Discussion of items on regular agenda

## III. REGULAR SESSION

## IV. ROLL CALL

## V. INVOCATION

## VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

*"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God; One and Indivisible."*

## VII. VISITOR/CITIZENS FORUM

*At this time, any person with business before the City Council not scheduled on the agenda may address the Council, provided that an official 'Speaker's Request Form' has been completed and submitted to the City Secretary prior to the start of the meeting. All comments must be directed towards the Mayor and Council, rather than individual Councilmembers or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action or discussion can be taken on these items.*

## VIII. REPORTS/ANNOUNCEMENTS

*In addition to specific matters listed below, City Council may receive reports about items of community interest, including but not limited to recognition of individual officials, citizens, or departments, information regarding holiday schedules, and upcoming or attended events.*

A. Updates from the City Council

B. Updates from the City Manager

C. Updates from the Mayor

D. Stormwater presentation and survey information

## IX. MONITORING INFORMATION

A. Monthly Financials – November 2017

## X. INCIDENTAL ITEMS

## XI. REQUIRED APPROVAL ITEMS (CONSENT)

*All matters listed under Required Approval Items (Consent) have been previously discussed, require little or no deliberation, or are considered to be routine by the City Council. If discussion is desired, an item can be removed from the Consent Agenda and considered separately.*

A. Consider approval of minutes from November 20, 2017 regular meeting

## XII. DECISION ITEMS

A. Consider approval of Ordinance 639, amending Chapter 16, Article II "Parks and Recreation Board" of the Kennedale Code of Ordinances, increasing the board membership from five places to seven

B. Consider making appointments to the Parks and Recreation Board

C. Determination of violation of expressed prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee, pursuant to Section 3.06 of the City Charter

D. Determination of Excused Absences/Forfeiture of Office for Councilmember Liz Carrington, pursuant to Section 3.06 of the City Charter

## XIII. EXECUTIVE SESSION

*The City Council may meet in closed session at any time during the work session or the regular session, pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding the Open Meetings Act.*

The City Council may meet in closed session pursuant to the Texas Government Code for the following matters:

• Seek advice from the City Attorney regarding the interpretation of City Charter requirements regarding vacancies and forfeiture of office.

• Seek advice from the City Attorney regarding Public Official Liability Insurance.

• Pursuant to Section 501.071: Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding the Open Meetings Act.

## XIV. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

## XV. ADJOURNMENT

*In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact the City Secretary at 817.985.2104 or (TDD) 1.800.735.2989.*

## CERTIFICATION

*I certify that a copy of the December 18, 2017, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.*

Leslie Galloway

Leslie Galloway, City Secretary

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# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** WORK SESSION - A.

---

**I. Subject:**
Hold a discussion and provide staff direction regarding amending the City of Kennedale purchasing policy

**II. Originated by:**

**III. Summary:**
At this time, Council may discuss potential amendments to the purchasing policy. Council member Joplin has requested that the purchasing policy, as adopted in October 2016, be amended to reduce the maximum authority of the City Manager as identified in the policy matrix from $50,000 to $9,999.99. Council Member Joplin's request is copied below. A copy of the current purchasing matrix is also attached to this report.

Because this request may have a negative impact on the ability of staff to operate efficiently but there has been insufficient time to thoroughly assess such impact, it is placed on the agenda as a work session item for discussion and further direction regarding placement of a resolution on a future agenda.

George & Brian,

For the December Council meeting please add changing Appendix A of the City of Kennedale Purchasing Matrix, lowering the purchase amounts to the agenda:

$0-$3000 same
$3000.01-$9,999.99 - Dept Head & City Manager
$9,999.99 & Above - City Manager & City Council

I'm not sure if a resolution is needed or just a vote to change the purchasing matrix.

Jan

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**
Provide staff with further direction.

### VIII. Attachments:

| | | |
|---|---|---|
| 1. | Appendix A - Purchasing Matrix | Appendix A - Purchasing Matrix.pdf |

## APPENDIX A

CITY OF KENNEDALE, TEXAS
PURCHASING MATRIX

| ***PURCHASE*** | ***$0 - $3,000.00*** | ***$3,000.01 - $49,999.99*** | ***$50,000 & Above*** |
|---|---|---|---|
| ***SIGNATURES REQUIRED*** | ▪ Department Head | ▪ Department Head<br>▪ City Manager | ▪ City Manager<br>▪ City Council |
| ***PURCHASE ORDER*** | ▪ Not Required<br>▪ Only If Vendor Needs | ▪ Not Required<br>▪ Only If Vendor Needs | ▪ Not Required<br>▪ Only If Vendor Needs |
| ***LEGAL REQUIREMENT*** | ▪ N/A | ▪ Three (3) Quotes<br>▪ Two (2) Of Three (3) Quotes Must Be HUB Vendors In Tarrant County<br>▪ If HUB(s) not listed, City Is Exempt | ▪ Competitive Bid<br>Or<br>▪ Competitive Proposal |
| ***EXEMPT FROM LEGAL REQUIREMENT*** | ▪ N/A | ▪ Cooperative Programs Purchases<br>▪ Sole Source Purchases<br>▪ Emergency Purchases<br>▪ Professional Service Purchase | ▪ Cooperative Programs Purchases<br>▪ Sole Source Purchases<br>▪ Emergency Purchases<br>▪ Professional Service Purchase - **MUST USE REQUEST FOR QUALIFICATIONS PROCESS. REFER TO SECTION XIII.** |
| ***MINIMUM PAYMENT DOCUMENT(S)*** | ▪ Pay Request<br>▪ Invoice (Not Quote)<br>▪ Applicable Receipts<br>▪ Backup Documents | ▪ Pay Request<br>▪ Invoice (Not Quote)<br>▪ Applicable Receipts<br>▪ Backup Documents | ▪ Pay Request<br>▪ Invoice (Not Quote)<br>▪ Applicable Receipts<br>▪ Backup Documents |
| ***PAYMENT TERMS*** | ▪ TX Prompt Payment Act (No Later 30 Days) | ▪ TX Prompt Payment Act (No Later 30 Days) | ▪ TX Prompt Payment Act (No Later 30 Days) |
| **Cooperative Programs (Approved Annually As Of 10/03/12):** US General Services Administration (GSA), Department of Information Resources (DIR), Texas Building and Procurement Commission (TBPC), Texas Multiple Award Schedules (TXMAS), Texas Procurement and Support Services (TPASS), City of Fort Worth Cooperative Purchasing Program, Parker County Cooperative Purchasing Program, Tarrant County Cooperative Purchasing Program, Texas Interlocal Purchasing System (TIPS), Houston-Galveston Area Council (H-GAC), Local Government Purchasing Cooperative (BuyBoard), The Cooperative Purchasing Network (TCPN), US Communities and Western States Contracting Alliance. | | | |

## Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** WORK SESSION - B.

---

**I. Subject:**
Hold a discussion and provide staff direction regarding City membership in the Texas Local Government Center

**II. Originated by:**

**III. Summary:**
At this time, Council may discuss the potential of becoming members of the Texas Local Government Center.

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Following is a copy Council Member Gilley's request for discussion of this item.

**Texas Local Government Center**

During the workshop session of the Regular December City Council meeting I would like to add a discussion considering the City joining the Texas Local Government Center as I believe it is a valuable resource in addition to the Texas Municipal League, to be considered for adoption by resolution on the January Council Agenda.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

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# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** WORK SESSION - C.

---

**I. Subject:**
Discussion of items on regular agenda

**II. Originated by:**

Leslie Galloway, City Secretary & Communications Coordinator

**III. Summary:**
At this time, Council may choose to discuss any item on the agenda.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

## Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** REPORTS/ANNOUNCEMENTS - A.

**I. Subject:**
Updates from the City Council

**II. Originated by:**

**III. Summary:**
Updates and information from City Council Members, if any.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** REPORTS/ANNOUNCEMENTS - B.

**I. Subject:**
Updates from the City Manager

**II. Originated by:**

**III. Summary:**
Updates and information from City Manager George Campbell, if any.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

**Staff Report to the Honorable Mayor and City Council**

**Date:** December 18, 2017

**Agenda Item No:** REPORTS/ANNOUNCEMENTS - C.

**I. Subject:**
Updates from the Mayor

**II. Originated by:**

**III. Summary:**

Updates and information from Mayor Brian Johnson, if any.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

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## Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** REPORTS/ANNOUNCEMENTS - D.

---

**I. Subject:**
Stormwater presentation and survey information

**II. Originated by:**

Larry Hoover, Streets and Parks Supervisor

**III. Summary:**
Engineering firm Halff Associates works with Kennedale staff to prepare an annual report on the measurable progress city staff is making towards stormwater best management practice goals. At this time, Halff engineers will provide an overview of the stormwater management program along with highlights of Kennedale's progress over the past year and upcoming goals for next year. As part of the presentation, they will ask the audience and Council members for anonymous feedback on the stormwater program through a prepared survey.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** MONITORING INFORMATION - A.

---

**I. Subject:**
Monthly Financials – November 2017

**II. Originated by:**

Brady Olsen, Finance Director

**III. Summary:**
Overview of the City's revenues and expenditures for all funds compared to budget and previous year.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

| | | |
|---|---|---|
| 1. | November Financials | 2017_11 Monthly Financials.pdf |

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
NOVEMBER

## REVENUE SUMMARY BY FUND

| REVENUES | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY ACTUAL EARNED | % OF CY BUDGET EARNED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| GENERAL FUND | $ 467,783 | $ 5,998,856 | $ 6,386,639 | $ 459,303 | $ 642,607 | 7.8% | 10.1% | $ 5,558,848 |
| OTHER GENERAL FUNDS | $ 83,337 | $ 1,001,006 | $ 973,127 | $ 21,417 | $ 23,872 | 8.3% | 2.5% | $ 1,621,293 |
| **GENERAL FUND** | **$ 551,120** | **$ 6,999,862** | **$ 7,359,766** | **$ 480,720** | **$ 666,479** | **7.9%** | **9.1%** | **$ 7,180,141** |
| **GENERAL DEBT SERVICE FUND** | **$ 132,524** | **$ 1,282,439** | **$ 1,665,934** | **$ 130,881** | **$ 195,185** | **10.3%** | **11.7%** | **$ 1,175,126** |
| WATER/SEWER FUND | $ 733,900 | $ 4,575,237 | $ 4,479,449 | $ 399,307 | $ 415,034 | 16.0% | 9.3% | $ 4,576,801 |
| STORMWATER UTILITY FUND | $ 43,058 | $ 349,044 | $ 256,664 | $ 21,833 | $ 21,520 | 12.3% | 8.4% | $ 470,306 |
| WATER IMPACT FUND | $ 9,830 | $ 152,434 | $ 120,450 | $ 9,044 | $ 15,066 | 6.4% | 12.5% | $ 53,592 |
| SEWER IMPACT FUND | $ 30 | $ 41,762 | $ 28,625 | $ 6,553 | $ 9,055 | 0.1% | 31.6% | $ 19,260 |
| **WATER/SEWER FUND** | **$ 786,818** | **$ 5,118,477** | **$ 4,885,188** | **$ 436,737** | **$ 460,675** | **15.4%** | **9.4%** | **$ 5,119,959** |
| **EDC4B FUND** | **$ 48,935** | **$ 483,952** | **$ 575,878** | **$ 7,833** | **$ 19,408** | **10.1%** | **3.4%** | **$ 913,819** |
| **CAPITAL FUND** | **$ 1,044** | **$ 180,171** | **$ 162,535** | **$ 8,694** | **$ 13,059** | **0.6%** | **8.0%** | **$ 110,961** |
| **SPECIAL REVENUE FUND** | **$ 91,089** | **$ 95,393** | **$ 25,067** | **$ -** | **$ -** | **95.5%** | **0.0%** | **$ 151,223** |
| **TOTAL REVENUES** | **$ 1,611,530** | **$ 14,160,294** | **$ 14,674,368** | **$ 1,064,865** | **$ 1,354,805** | **11.4%** | **9.2%** | **$ 14,651,230** |

## EXPENDITURE SUMMARY BY FUND

| EXPENDITURES | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY BUDGET EXPENSED | % OF CY BUDGET EXPENSED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| GENERAL FUND | $ 926,141 | $ 5,918,989 | $ 6,453,680 | $ 640,629 | $ 1,012,605 | 15.6% | 15.7% | $ 5,476,702 |
| OTHER GENERAL FUND | $ 416,095 | $ 1,070,763 | $ 920,034 | $ 57,073 | $ 96,780 | 38.9% | 10.5% | $ (96,780) |
| **GENERAL FUND** | **$ 1,342,236** | **$ 6,989,752** | **$ 7,373,714** | **$ 697,702** | **$ 1,109,385** | **19.2%** | **15.0%** | **$ 5,379,922** |
| **GENERAL DEBT SERVICE FUND** | **$ 34,909** | **$ 1,423,034** | **$ 1,663,884** | **$ -** | **$ 33,794** | **2.5%** | **2.0%** | **$ 1,331,833** |
| WATER/SEWER FUND | $ 473,281 | $ 3,708,608 | $ 4,258,316 | $ 387,841 | $ 537,702 | 12.8% | 12.6% | $ 4,292,073 |
| STORMWATER UTILITY FUND | $ 50,973 | $ 272,138 | $ 271,303 | $ - | $ 51,931 | 18.7% | 19.1% | $ 519,226 |
| WATER IMPACT FUND | $ - | $ - | $ 153,573 | $ - | $ - | | 0.0% | $ 154,415 |
| SEWER IMPACT FUND | $ - | $ - | $ 60,000 | $ - | $ - | | 0.0% | $ 60,000 |
| **WATER/SEWER FUND** | **$ 524,254** | **$ 3,980,746** | **$ 4,743,192** | **$ 387,841** | **$ 589,633** | **13.2%** | **12.4%** | **$ 5,025,714** |
| **EDC4B FUND** | **$ 108,701** | **$ 602,722** | **$ 592,963** | **$ 13,431** | **$ 113,295** | **18.0%** | **19.1%** | **$ 690,585** |
| **CAPITAL FUND** | **$ 83,630** | **$ 92,209** | **$ 175,170** | **$ 827** | **$ 1,467** | **90.7%** | **0.8%** | **$ 214,773** |
| **SPECIAL REVENUE FUND** | **$ 7,459** | **$ 104,097** | **$ 22,984** | **$ -** | **$ -** | **7.2%** | **0.0%** | **$ 151,223** |
| **TOTAL EXPENDITURES** | **$ 2,101,188** | **$ 13,192,560** | **$ 14,571,907** | **$ 1,099,801** | **$ 1,847,574** | **15.9%** | **12.7%** | **$ 12,794,049** |

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
NOVEMBER

## EXPENDITURE SUMMARY BY DEPARTMENT

| GENERAL FUND | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY ACTUAL EXPENSED | % OF CY BUDGET EXPENSED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| CITY MANAGER | $ 39,102 | $ 356,066 | $ 352,423 | $ 27,356 | $ 46,959 | 11.0% | 13.3% | $ 305,464 |
| MAYOR/CITY COUNCIL | $ 6,674 | $ 129,553 | $ 115,113 | $ 12,100 | $ 14,596 | 5.2% | 12.7% | $ 100,517 |
| CITY SECRETARY | $ 13,818 | $ 152,017 | $ 144,246 | $ 7,039 | $ 20,982 | 9.1% | 14.5% | $ 123,264 |
| MUNICIPAL COURT | $ 15,707 | $ 109,871 | $ 128,197 | $ 8,384 | $ 13,566 | 14.3% | 10.6% | $ 114,631 |
| HUMAN RESOURCES | $ 25,059 | $ 123,083 | $ 128,583 | $ 9,239 | $ 15,252 | 20.4% | 11.9% | $ 113,331 |
| FINANCE | $ 39,354 | $ 293,954 | $ 301,564 | $ 16,122 | $ 35,063 | 13.4% | 11.6% | $ 266,501 |
| POLICE | $ 344,227 | $ 2,149,697 | $ 2,405,689 | $ 208,721 | $ 386,241 | 16.0% | 16.1% | $ 2,019,448 |
| FIRE | $ 216,814 | $ 1,679,349 | $ 1,835,873 | $ 157,524 | $ 253,954 | 12.9% | 13.8% | $ 1,581,919 |
| COMMUNITY DEVELOPMENT | $ 41,913 | $ 305,758 | $ 341,663 | $ 18,505 | $ 28,585 | 13.7% | 8.4% | $ 313,078 |
| SENIOR CITIZEN CENTER | $ 4,931 | $ 49,345 | $ 51,439 | $ 1,006 | $ 4,486 | 10.0% | 8.7% | $ 46,953 |
| LIBRARY | $ 36,354 | $ 263,741 | $ 258,031 | $ 24,207 | $ 38,925 | 13.8% | 15.1% | $ 219,106 |
| NONDEPARTMENTAL | $ 142,190 | $ 306,556 | $ 390,859 | $ 150,425 | $ 153,993 | 46.4% | 39.4% | $ 236,866 |
| **TOTAL EXPENDITURES** | **$ 926,141** | **$ 5,918,989** | **$ 6,453,680** | **$ 640,629** | **$ 1,012,602** | **15.6%** | **15.7%** | **$ 5,441,078** |

| WATER/SEWER FUND | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY BUDGET EXPENSED | % OF CY BUDGET EXPENSED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| UTILITY BILLING | $ 24,857 | $ 928,580 | $ 1,237,043 | $ 5,054 | $ 8,820 | 2.7% | 0.7% | $ 1,228,223 |
| WATER OPERATIONS | $ 133,125 | $ 1,263,519 | $ 1,649,405 | $ 144,318 | $ 255,973 | 10.5% | 15.5% | $ 1,393,432 |
| DEBT | $ 152,813 | $ 511,309 | $ 677,361 | $ 152,813 | $ 152,813 | 29.9% | 22.6% | $ 524,548 |
| W&S CAPITAL | $ - | $ 196,862 | $ 39,796 | $ - | $ - | | 0.0% | $ 39,796 |
| NONDEPARTMENTAL | $ 162,486 | $ 808,339 | $ 654,711 | $ 85,656 | $ 120,096 | 20.1% | 18.3% | $ 534,615 |
| **TOTAL EXPENDITURES** | **$ 473,281** | **$ 3,708,608** | **$ 4,258,316** | **$ 387,841** | **$ 537,702** | **12.8%** | **12.6%** | **$ 3,720,614** |

| STREET IMPROVEMENT FUND | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY BUDGET EXPENSED | % OF CY BUDGET EXPENSED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| STREETS | $ 80,614 | $ 711,530 | $ 698,143 | $ 41,831 | $ 73,747 | 11.3% | 10.6% | $ 624,396 |
| PARKS MAINTENANCE | $ 7,266 | $ 77,298 | $ 161,368 | $ 1,360 | $ 1,360 | 9.4% | 0.8% | $ 160,008 |
| CAPITAL | $ 272,601 | $ 281,935 | $ 60,523 | $ - | $ - | | 0.0% | $ 60,523 |
| **TOTAL EXPENDITURES** | **$ 360,481** | **$ 1,070,763** | **$ 920,034** | **$ 43,192** | **$ 75,107** | **33.7%** | **8.2%** | **$ 844,927** |

| EDC4B FUNDS | FY16-17 YTD | FY16-17 ACTUAL | FY17-18 ADOPTED | CURRENT MONTH | FY17-18 YTD | % OF PY BUDGET EXPENSED | % OF CY BUDGET EXPENSED | BUDGET REMAINING |
|---|---|---|---|---|---|---|---|---|
| ADMINISTRATION | $ 21,330 | $ 190,611 | $ 195,517 | $ 12,516 | $ 25,020 | 11.2% | 12.8% | $ 170,497 |
| DEBT SERVICE | $ 73,380 | $ 324,250 | $ 322,365 | $ 4,766 | $ 70,705 | 22.6% | 21.9% | $ 251,660 |
| TOWN SHOPPING CENTER | $ 13,991 | $ 75,209 | $ 45,362 | $ (3,851) | $ 17,571 | 18.6% | 38.7% | $ 27,791 |
| TOWNCENTER REDEVELOPMENT | $ - | $ 12,653 | $ - | $ - | $ - | | #DIV/0! | $ - |
| **TOTAL EXPENDITURES** | **$ 108,701** | **$ 602,722** | **$ 563,244** | **$ 13,431** | **$ 113,295** | **18.0%** | **20.1%** | **$ 449,949** |

# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** REQUIRED APPROVAL ITEMS (CONSENT) - A.

**I. Subject:**
Consider approval of minutes from November 20, 2017 regular meeting

**II. Originated by:**

Leslie Galloway, City Secretary & Communications Coordinator

**III. Summary:**
Please see the attached minutes for your approval.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**
Approve

**VII. Alternative Actions:**

**VIII. Attachments:**

| | | |
|---|---|---|
| 1. | CC_Minutes_Draft_11.20 | 2017_11.20_Minutes_City Council Regular Meeting_DRAFT.pdf |

# *KENNEDALE CITY COUNCIL MINUTES*

**REGULAR MEETING | November 20, 2017**
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**
**WORK SESSION - 5:30 PM | REGULAR SESSION - 7:00 PM**

## I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:40 p.m.

## II. WORK SESSION

A. At this time City Council will continue interviewing advisory board applicants (previous interviews were held Thursday, October 19, Thursday, October 26, Thursday, November 2, Thursday, November 9, and Monday, November 13, 2017)
*This item was taken out of order; discussed after II.C.*

There were no interviews or discussion at this time.

B. Review of applicants and discussion of potential appointments to the Board of Adjustment/ Building Board of Appeals, Keep Kennedale Beautiful Commission, Kennedale Economic Development Corporation, Parks and Recreation Board, Planning and Zoning Commission, Library Advisory Board, Utility and Infrastructure Board, TownCenter Development District, and the Tax Increment Reinvestment Zone
*This item was taken out of order; discussed after II.C and II.A.*

There was no discussion at this time.

C. Discuss and provide direction regarding the City's long-range planning, goals, objectives, and strategic plan and a preferred process for updating such planning initiatives
*This item was taken out of order; discussed before II.A.*

Councilmember Gilley stated that the comprehensive plan covered 2009 – 2015, and an update was needed. Councilmember Lee and Mayor Pro Tem Joplin added that an advisory committee should be created. City Manager Campbell stated that he would prefer to delay any specific planning until a new Community Development Director was hired.

City Attorney Wayne Olson stated that comprehensive plans were originally intended to guide zoning decisions, and although their purpose has since expanded, that all Council decisions on zoning still must still take into consideration the goals defined by the document.

In response to a question from Mayor Johnson, Campbell stated that he felt it would be most effective to have the goals of a comprehensive plan in place first, so that they can shape the development of a strategic plan, which defines specific actions to achieve those goals. He added that he would suggest that Council agree upon a timeline and parameters for the project, and then request that the Planning & Zoning Commission facilitate the process.

Councilmember Turner stated that he would like to consider using a consultant. Campbell stated he would support that. Councilmember Gilley added that he would consider a consultant and possibly a cost benefit analysis on development. Councilmember Lee concurred. In response to Councilmember Turner's question, Campbell stated that this update was not included in the adopted FY17-18 budget, but that staff could work to identify potential funding, and that the cost would depend upon the scope of the project and what portions were completed by staff. He added that the more dramatic the changes to the plan are, the more time it would take to get adequate public input. Campbell also stated that there is currently quite a lot of vacant land that is primed for growth, but the community seemed to have conflicting opinions about the type of development that was desirable. He added that the City is deficient in parks; and that decisions need to be made about the ratio of single- vs. multi-family housing and the type and appearance of development best suited to Kennedale Parkway.

Councilmember Turner stated that he did not believe five to ten years was long enough for developments of that magnitude. Campbell responded that shorter plans recognize that cities must be dynamic by adapting to changing environments. Councilmember Gilley agreed, adding that a shorter plan is easier to modify and that keeping pace with a rapidly changing population and environment is a challenge, but he felt that the aim should be moving the community in the direction that the current residents hope for, while offering direction and oversight. Mayor Johnson agreed that a plan should be flexible and that some goals will, by their nature, extend beyond that five- or ten-year mark. He added the importance of acknowledging the successes of the current plan during this process, including additional parks and restaurants.

There was some discussion about the legal importance of any adopted plan or zoning not specifically deterring the development of multi-family housing.

Campbell stated that staff would aim for gathering an advisory committee after the start of the year. There was some discussion about the difficulty of keeping residents engaged and Councilmember Gilley proposed an online survey as a part of the planning. Mayor Johnson added that a live town hall meeting via social media or an online forum might be other options. Councilmember Turner stated the importance of engaging residents from all areas of the city, and in keeping residents consistently engaged, not just during processes like this one.

D. Discussion of items on regular agenda

There was no discussion at this time.

## III. REGULAR SESSION

Mayor Johnson opened the Regular Session at 7:03 p.m.

## IV. ROLL CALL

**Present:** Mayor Brian Johnson; Mayor Pro Tem Jan Joplin, Place 5; Rockie Gilley, Place 1; Liz Carrington, Place 2 *(arrived following Work Session; left before Executive Session)*; Sandra Lee, Place 3; and Kelly Turner, Place 4 *(arrived following Work Session)*. **Absent:** None

***Staff:*** *City Manager George Campbell, City Secretary and Communications Coordinator Leslie Galloway, HR Director Kelly Cooper, Police Chief Tommy Williams, Public Works Director Larry Ledbetter, Public Works Superintendent Larry Hoover, Public Works Crew Leader, Ron Taylor, CSI Inspector Dennis Brown, Library Director Amanda King, City Attorney Wayne Olson*

## V. INVOCATION

Pastor Greg Adams of Covenant Life Baptist Church provided the invocation.

## VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

## VII. VISITOR/CITIZENS FORUM

*This item was taken out of order; discussed after VIII. Reports/Announcements.*

- **Jeff Nevarez**, 338 Spring Branch Lane, requested that Council consider expanding the Parks Board from five to seven places, to accommodate more applicants.
- **Mark Babina**, 1056 Falcon Nest, stated that he was supportive of and grateful to City Manager George Campbell, Finance Director Brady Olsen, and the entire staff.
- **Daniel Bennett**, 408 Pemberton, White Settlement, requested that Council consider casting their votes for him on the Tarrant Appraisal District (TAD) Board ballot.
- **Laurie Sanders**, 208 W 5th St., also requested that Council consider expanding the Parks Board to seven places.
- **David Green**, 201 W Mistletoe, requested that Councilmembers focus on leadership and cooperation, rather than divisiveness. He added that Councils should be the voice of all residents, rather than the voice of those who happen to share their own personal views, and asked that each Councilmember vote on their own, rather than as a group.

## VIII. REPORTS/ANNOUNCEMENTS

*This item was taken out of order; discussed before VII. Visitor/Citizen Forum.*

A. Updates from the City Council

- Councilmember Gilley stated that he attended a Local Government Liberty Summit.
- Mayor Pro Tem Joplin stated that residents saw a decrease on their water bills in November. She added that she attended two Kennedale Area Chamber of Commerce luncheons, a barbecue at the nursing home, a “Back the Blue” police banquet and Trunk-or-Treat; Council had interviewed more than 35 applicants for Advisory Boards over the past month; and had meetings with Commissioner Andy Nguyen, several local business owners, and the pastor of Blessed Hope.
- Councilmember Turner stated that he was invited to a meeting through the North Central Texas Council of Governments (NCTCOG) on a program called FirstNet, a cooperative effort between the federal government and AT&T that would give first responders priority access to cell reception during incidents, offering another line of communication. The program is expected to roll out in Texas in 2018-19, and nationwide within five years.

B. Updates from the Mayor

- The City is currently considering the use of more efficient LED lighting
- Talks are in progress with the City of Arlington regarding improvements to Sublett Road
  Thank you to Mayor’s recognition of Donations to the Veterans and 9/11 Memorials
  - Sue West of the Kaufman County Heroes Foundation along with Friendship Riders and Allied Riders of Texas donated $1,500.00.
  - Tom Olson, Road Captain of the American Legion Riders of Mansfield Post 624, donated $540.00.
  - Staff has replaced the pump and is preparing to reseal the base. The fountain should be operable in about one month.
- The Christmas Tree Lighting will be Tuesday, December 5th, from 5:30 to 8:00 p.m.
- There is a Stormwater Survey at www.cityofkennedale.com/stormwater

- Mayor Johnson urged residents to contact their State Representative and NCTCOG to voice their concerns about the I-20/Loop 820 intersection on Kennedale Parkway

C. Updates from the City Manager

There were no updates from City Manager George Campbell at this time.

## IX. MONITORING INFORMATION

A. Monthly Financials – October 2017

## X. INCIDENTAL ITEMS

## XI. REQUIRED APPROVAL ITEMS (CONSENT)

A. Consider approval of minutes from September 7, 2017 special meeting

B. Consider approval of minutes from September 14, 2017 special meeting

C. Consider approval of minutes from September 18, 2017 regular meeting

D. Consider approval of minutes from October 19, 2017 special meeting

E. Consider approval of minutes from October 26, 2017 special meeting

F. Consider approval of minutes from November 2, 2017 special meeting

G. Consider approval of minutes from November 9, 2017 special meeting

H. Consider approval of minutes from November 13, 2017 special meeting

I. Consider adopting Resolution 515, waiving the local matching funds on the New Hope Road Bridge Project, and applying those funds, instead, to other local approved structures

At the request of Mayor Pro Tem Joplin, item XI.I. (Resolution 515) was removed from the Consent Agenda for further discussion.

**Motion To** approve all required approval items on consent agenda, except item XI.I (Resolution 515). **Action** Approve, **Moved By** Turner, Seconded By Lee. **Motion passed Unanimously.**

City Manager George Campbell stated that Resolution 515 allows the City to waive their 10% match on the New Hope Road Bridge Project and divert that money to other specific drainage projects. Councilmember Gilley stated that there seemed to be no downside to this action.

**Motion To** approve Resolution 515, waiving the local matching funds on the New Hope Road Bridge Project, and applying those funds, instead, to other local approved structures. **Action** Approve, **Moved By** Gilley, **Seconded By** Lee. **Motion passed Unanimously**

## XII. DECISION ITEMS

A. Consider adoption of Ordinance 638, revising the stormwater (drainage) utility fee

City Manager George Campbell stated that this fee adjustment supported the FY17-18 Budget, adopted by Council in September. He added that the Ordinance in the packet had an erroneous effective date of November 1, 2017, which had since been changed to December 1, 2017; and an updated version was provided at the dais for Councilmembers' reference.

**Motion To** approve Ordinance 638, revising the stormwater (drainage) utility fee. **Action** Approve, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

B. Consider making appointments to the Board of Adjustment/Building Board of Appeals, Keep Kennedale Beautiful Commission, Kennedale Economic Development Corporation, Parks and Recreation Board, Planning and Zoning Commission, Library Advisory Board, Utility and Infrastructure Board, TownCenter Development District, and the Tax Increment Reinvestment Zone

Councilmember Turner stated that he would like to see the Parks and Recreation Board expanded to seven members, and that he felt Michael Chandler should not be denied continued service, as he had been a dedicated member for twelve or more years.

Councilmember Gilley stated that all Advisory Board interviews were conducted by himself, Lee, and Mayor Pro Tem Joplin; and that the slate brought forward for consideration was an attempt at balancing appointment of both standing members and new applicants.

Councilmember Turner stated that he was unable to attend the interviews due to work, but that increased communication regarding special meeting scheduling would be appreciated.

**Motion To** approve David Deaver, Michael Chandler, and Phil Wallace as members of the Parks and Recreation Advisory Board; and to request an item be placed on the Monday, December 18 Regular Meeting agenda to consider expanding the membership by two places. **Action** Approve, **Moved By** Turner, **Seconded By** Carrington. **Motion passed with a vote of 4-1, with Lee voting against approval.**

**Motion To** approve the slate as presented for the Board of Adjustment/Building Board of Appeals (BOA/BBA). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee.

Councilmember Turner stated that during Work Session, Council discussed the importance of planning and development, and that the primary boards involved include P&Z and BOA/BBA. He added that Council should be particularly thoughtful in their appointments to these boards, and that while new voices are important, he is hesitant to replace more than half of this quasi-judicial board – including both the chair and vice-chair – with inexperienced members. He stated that there could be potential ramifications, including legal issues, for the community.

Mayor Pro Tem Joplin stated that she did not consider the titles of chair or vice-chair when deciding who should continue their service. She added that Lana Sather and Azam Shaikh did have experience serving on the board, and were not replaced.

Councilmember Turner stated that policy was to move current alternates into acting places and appoint new members to the alternate places. Councilmember Carrington concurred.

**Motion To** amend the motion to approve the slate as presented, by moving current members Altom and Nevarez into Places 1 and 3, and new members Elam and Clementi into alternate

Places 7 and 9. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the original motion, to approve the slate as presented for BOA/BBA.
**Motion passed with a vote of 3-2, with Turner and Carrington voting against approval.**

**Motion To** approve the slate as presented for the Economic Development Corporation (EDC). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Gilley.

Councilmember Turner stated that he saw no reason to remove standing members without reason when there were already three vacant places available for new appointments.

**Motion To** amend the motion to approve the slate as presented, by reappointing Ron Whitley to Place 3, rather than Allen Ray; and instead appointing Allen Ray to Place 7, rather than Councilmember Sandra Lee. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion passed with a vote of 3-2, with Gilley abstaining; Lee, and Mayor Pro Tem Joplin voting against approval; and Mayor Johnson deciding the tie with a vote for approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the amended motion, to appoint Cathy Brown (Place 1), Ronald Whitley (Place 3), Allen Ray (Place 5), and Hollis Matthews (Place 7) to the EDC. **Motion passed unanimously.**

**Motion To** approve the slate as presented, replacing Vickie Chandler (who declined the nomination) with Carole Ray for the Keep Kennedale Beautiful Commission (KKB). **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee. **Motion passed unanimously.**

**Motion To** approve the slate as presented for the Library Advisory Board. **Action** Approve, **Moved By** Turner, **Seconded By** Lee. **Motion passed unanimously.**

**Motion To** approve the slate as presented for the Tax Increment Reinvestment Zone (TIRZ) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Turner. **Motion passed unanimously.**

**Motion To** approve the slate as presented for the TownCenter Development District (TDD) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Carrington. **Motion passed 4-0, with Turner abstaining.**

**Motion To** approve the slate as presented for the Utility and Infrastructure Board (UIB) Board. **Action** Approve, **Moved By** Gilley, **Seconded By** Turner. **Motion passed unanimously.**

**Motion To** approve the slate as presented for the Planning and Zoning Commission (P&Z) Board. **Action** Approve, **Moved By** Mayor Pro Tem Joplin, **Seconded By** Lee.

Councilmember Turner stated that P&Z would be vital to the process of updating the comprehensive plan, and that he would prefer to reappoint Carolyn Williamson on the board.

**Motion To** amend the motion to approve the slate as presented, by reappointing Carolyn Williamson to Place 1, rather than Lary Adkins. **Action** Amend, **Moved By** Turner, **Seconded By** Carrington. **Motion failed with a vote of 3-2, with Gilley, Lee, and Mayor Pro Tem Joplin voting against approval.**

Mayor Johnson stated that, if there was no further discussion, he now called for a vote on the original motion, to approve the slate as proposed for P&Z.

**Motion passed with a vote of 3-2, with Turner and Carrington voting against approval.**

C. Discuss and consider the casting of votes for the 2018 Tarrant Appraisal District (TAD) Board of Directors

**Motion To** approve the casting of all six (6) votes for Daniel J. Bennett. **Action** Approve, **Moved By** Gilley, **Seconded By** Turner. **Motion passed unanimously.**

## XIII. EXECUTIVE SESSION

The City Council may meet in closed session pursuant to the Texas Government Code for the following matters:

• Pursuant to Section 501.074: Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, including appointees to Ci ty boards and commissions.

• Seek advice from the City Attorney regarding the interpretation of City Charter requirements regarding vacancies and forfeiture of office.

• Pursuant to Section 501.071: Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding the Open Meetings Act.

## XIV. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

Mayor Johnson reconvened into open session at 9:09 p.m. No action was taken at this time.

## XV. ADJOURNMENT

**Motion** To adjourn. **Action** Adjourn, **Moved By** Turner, **Seconded By** Mayor Pro Tem Joplin. **Motion passed Unanimously**

The meeting was adjourned at 9:10 p.m.

**APPROVED:**

*BRIAN JOHNSON, MAYOR*

**ATTEST:**

*LESLIE GALLOWAY, CITY SECRETARY*

## Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** DECISION ITEMS - A.

**I. Subject:**
Consider approval of Ordinance 639, amending Chapter 16, Article II "Parks and Recreation Board" of the Kennedale Code of Ordinances, increasing the board membership from five places to seven

**II. Originated by:**

Larry Hoover, Streets and Parks Supervisor

**III. Summary:**
When the Parks and Recreation Board was created, it had nine members, which proved diifficult to fill and made the five-member quorum attendance difficult. In October 2016, staff recommended, and City Council consequently approved, that the board be reduced to five members, with a quorum requirement of three.

During the recent Advisory Board application process, there were three new applicants for the Parks Board, and only space for one. At the request of Council, Ordinance 639, amending the Parks Board bylaws by expanding the membership to seven, is now presented for your consideration.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

| | | |
|---|---|---|
| 1. | O639_Current Consideration | Ordinance 639_ParksBoardAddingTwoMembers.pdf |
| 2. | O523_Historical Ordinance Establishing Board | O523_EstablishParksBoard.pdf |

# ORDINANCE NO. 639

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE II, "PARKS AND RECREATION BOARD", OF THE CODE OF ORDINANCES OF THE CITY OF KENNEDALE, TEXAS, AS AMENDED, BY REVISING THE MEMBERSHIP OF THE BOARD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article X1, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** The City Council previously adopted an ordinance providing for the creation and appointment of the Parks and Recreation Board; and

**WHEREAS,** the City Council now desires to amend said ordinance to revise the provisions regarding membership on the board.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THAT:**

## SECTION 1.

Chapter 16, Article II of the Kennedale City Code is hereby amended by revising Section 16-11, Membership, to read as follows:

**Sec. 16-11. - Membership.**

(a) Appointed by a majority vote of the City Council, this board shall consist of seven (7) regular members designated by Places 1 through 7. Appointments shall take place in October of each year, with Places 1, 3, 5, and 7 appointed in odd numbered years and Places 2, 4, and 6 appointed in even numbered years. The terms for each place shall be two (2) years. Members must meet the following qualifications:

(1) Be a register voter of the city;

(2) Shall have resided in the corporate limits of the city for at least one (1) year; and

(3) Shall continue residency in the city during the term of office.

(b) The City Council shall appoint a replacement to fill any vacancy for the unexpired term of the member whose place has become vacant.

(c) The City Council shall have the authority to remove any member at any time, with or without cause.

## SECTION 2.
## CUMULATIVE CLAUSE

This ordinance shall be cumulative of all other ordinances of the City of Kennedale, Texas, and shall not repeal any of the provisions of such ordinance except in those instances when provisions of such ordinances are in direct conflict with the provisions of this ordinance, in which event the conflicting provisions of such ordinances are hereby repealed.

## SECTION 3.
## SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs or sections of this Ordinance shall be declared unconstitutional by the valid judgment or decree a of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same shall have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## SECTION 4.
## EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ON THE 18th DAY OF DECEMBER, 2017.**

**APPROVED:**

______________________________

**MAYOR, BRIAN JOHNSON**

**ATTEST:**

______________________________

**CITY SECRETARY, LESLIE GALLOWAY**

**APPROVED AS TO FORM AND LEGALITY:**

______________________________

**CITY ATTORNEY, WAYNE OLSON**

## ORDINANCE NO. 523

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE II, "PARKS AND RECREATION BOARD", OF THE CODE OF ORDINANCES OF THE CITY OF KENNEDALE, TEXAS, AS AMENDED, BY ESTABLISHING NEW SECTIONS PROVIDING FOR CREATION AND PURPOSE, MEMBERSHIP, ORGANIZATION, RULES AND REQUIREMENTS, AND POWERS AND DUTIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article X1, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council previously adopted an ordinance providing for the creation and appointment of the Parks and Recreation Board; and

**WHEREAS**, the City Council now desires to amend said ordinance to revise the provisions regarding membership on the board.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS:**

### SECTION 1.

Chapter 16, Article II of the Kennedale City Code is hereby amended in its entirety to read as follows:

### "ARTICLE II. PARKS AND RECREATION BOARD

**Sec. 16-10. Creation and Purpose.**

There is hereby created and established a parks, and recreation board. Such board shall be officially designated as the Parks and Recreation Board of the City of Kennedale, Texas. The board shall provide recommendations and advice to the city council on policies, projects, and other matters pertaining to parks, recreation, public space, and community events in the City of Kennedale

**Sec. 16-11. Membership.**

(a) Appointed by majority vote of the City Council, this board shall consist of nine (9) regular members designated by Places 1 through 9. Appointments shall take place in October of each year, with Places 1, 3, 5, 7, and 9 appointed in odd numbered years and Places 2, 4, 6, and 8 appointed in even numbered years. The term for each place shall be two (2) years. Members must meet the following qualifications:

(1) Be a registered voter of the city;

(2) Shall have resided in the corporate limits of the city for at least one (1) year; and

(3) Continue residency in the city during the term of office.

(b) The City Council shall appoint a replacement to fill any vacancy for the unexpired term of the members whose place has become vacant.

(c) The City Council shall have the authority to remove any member at any time, with or without cause.

**Sec. 16-12. Organization, Rules, and Requirements.**

(a) By November of each year, the membership shall determine, by simple majority vote, a chair and a vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the Chair to preside over meetings and to assist in setting meeting agendas. If the chair is absent the vice chair shall assume the duties of that office.

(b) Members of the board shall meet at least ten (10) times per year, on a regular day and time selected by its members. The chair may call special meetings as necessary.

(c) The board shall conduct meetings and govern its proceedings according to the City Council's adopted rules of order, abide by the Texas Open Meetings Law, and shall keep a record of its proceedings, including votes and attendance, and shall submit these records to the City Secretary's Office.

(d) Members of the board shall not take any action unless a quorum is present. A quorum shall consist of five (5) members. Each member, including the Chair, is entitled to one (1) vote, and action of the board shall require a majority of those members present.

(e) The City Manager shall designate a city employee to serve as staff liaison to the board.

(f) Members of the board shall receive five dollars ($5.00) for each regular meeting attended as compensation for the performance of their duties, but no compensation shall be paid for special meetings. In addition, members may receive reimbursement of authorized expenses attendant to the performance of their duties.

**Sec. 16-13. Powers and Duties.**

(a) This board is advisory only and shall not have any decision-making authority.

(b) The board shall have the following duties:

(1) To make studies and project plans for the improvement and acquisition of public parks and open spaces with a view of park development and extension, and to recommend all matters for the development and advancement of the city parks and open space facilities, layout and appearance, and to perform the duties of advance planning for future acquisition and development of potential park and open space lands;

(2) To aid and assist the city in the procuring of financial and other aids and assistance for the city from the state and federal governments and their agencies for each and all of the purposes herein enumerated;

(3) To act with and assist all other municipal boards, governmental agencies, regional associations and especially the city council in formulating proper plans for municipal park and open space development;

(4) To plan and recommend the location, plan, and extent of city parks, playgrounds, and other public grounds and public improvements, for the location and planning of public buildings, schools and other properties, and of recreational facilities, including those public and privately owned improvements for water, lights, sanitation, sewer disposal, and drainage;

(5) To recommend general rules and regulations governing use of parks, open spaces, community, recreational facilities and buildings;

(6) To recommend plans for improving, developing, expanding and beautifying the parks and public buildings in or adjacent to the city and to cooperate with the city council and other agencies of the city in advising, establishing, locating, improving, selecting, expanding and maintaining the public parks, playgrounds and lakes for public recreation;

(7) To recommend programs and community events to the city council, to originate, plan and coordinate recreation programs and community events for all segments of the population, throughout all seasons of the year. Efforts by the board should be made to assure that all recommendations will utilize existing facilities and organizations to provide recreational, leisure, and community event activities to the citizens. The board should concern itself with the possibilities of gaining cooperative use of noncity-owned facilities and implementing proven programs to attract participants for recreational activities.

(8) To accomplish these duties, the board may establish subcommittees as necessary. Any subcommittee shall be chaired by a Parks and Recreation Board member, and an unspecified number of community volunteers may be chosen by the commission as working subcommittee members."

**Secs. 16-14 - 16-19. Reserved."**

**SECTION 2.**

The two alternates serving on the board at the time of this Ordinance's approval shall serve as regular members until October 2013 or until his or her successor is appointed by the City Council.

**SECTION. 3**

This Ordinance shall be cumulative of all other ordinances of the City of Kennedale, and shall not repeal any of the provisions of such ordinance except in those instances when provisions of such ordinances are in direct conflict with the provisions of this ordinance, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.**

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

**PASSED AND APPROVED** on this 11th day of July, 2013.

Mayor, John Clark

Attest:

Amethyst G. Cirmo, City Secretary

Effective Date: 7/11/2013

Approved As To Form And Legality:

Wayne Olson, City Attorney

CITY OF KENNEDALE SEAL TARRANT COUNTY, TEXAS

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# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** DECISION ITEMS - B.

**I. Subject:**
Consider making appointments to the Parks and Recreation Board

**II. Originated by:**

**III. Summary:**
At this time, Council may consider making appointments to the Parks and Recreation Board.

For your reference, Azam Shaikh was the Place 5 incumbent (replaced by Phil Wallace); and Carlos Chargoy interviewed for this board and was on the proposed slate considered at the November 20 meeting, but Council chose to reappoint Michael Chandler to Place 3 instead.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**
Approve

**VII. Alternative Actions:**

**VIII. Attachments:**

## Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** DECISION ITEMS - C.

---

**I. Subject:**
Determination of violation of expressed prohibition of City Charter/Forfeiture of Office for Councilmember Sandra Lee, pursuant to Section 3.06 of the City Charter

**II. Originated by:**

**III. Summary:**
This hearing is placed on the agenda at the request of City Council Members.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

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# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** DECISION ITEMS - D.

---

**I. Subject:**
Determination of Excused Absences/Forfeiture of Office for Councilmember Liz Carrington, pursuant to Section 3.06 of the City Charter

**II. Originated by:**

**III. Summary:**
This hearing is placed on the agenda at the request of City Council Members.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

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# Staff Report to the Honorable Mayor and City Council

**Date:** December 18, 2017

**Agenda Item No:** EXECUTIVE SESSION - A.

---

**I. Subject:**
The City Council may meet in closed session pursuant to the Texas Government Code for the following matters:
• Seek advice from the City Attorney regarding the interpretation of City Charter requirements regarding vacancies and forfeiture of office.
• Seek advice from the City Attorney regarding Public Official Liability Insurance.
• Pursuant to Section 501.071: Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion on any item posted on the agenda and legal issues regarding the Open Meetings Act.

**II. Originated by:**

**III. Summary:**

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

405 Municipal Drive, Kennedale, TX 76060 | Telephone: 817-985-2100 | Fax: 817-478-7169